

Message Text

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60

ACTION XMB-04

INFO OCT-01 NEA-10 ISO-00 AID-05 CIAE-00 COME-00 EB-07

FRB-03 INR-07 NSAE-00 USIA-06 TRSE-00 OPIC-03 SP-02

CIEP-01 LAB-04 SIL-01 OMB-01 /055 W

----- 071711

R 210839Z JAN 76

FM AMEMBASSY DAMASCUS

TO SECSTATE WASHDC 5922

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STATE PASS EXPORT-IMPORT BANK

E.O. 11652: N/A

TAGS: EFIN, SY, US

SUBJECT: EXIM BANK CLAIM

REF: A. 75 STATE 295397, B. 75 DAMASCUS 4478

1. SUMMARY. SYRIAN LAWYER JAZZAR READY TO PROCEED WITH EXIM BANK CLAIM CASE; HE NEEDS ADDITIONAL DOCUMENTS REQUESTED BELOW IN PARA 3, INCLUDING POWER OF ATTORNEY, TEXT OF WHICH PROVIDED BELOW. EMBASSY STRONGLY URGES WE BE PROVIDED FUND CITATION SO WE MAY PAY ON BEHALF OF EXIM IN DAMASCUS EXPENSES OF LAWYER ON PRESENTATION OF CERTIFIED RECEIPTS; OTHERWISE, JAZZAR WOULD BE OUT OF POCKET AT LEAST TWO MONTHS GIVEN DEMONSTRATED SLOW POUCH TURNAROUND TIME BETWEEN DAMASCUS/WASHINGTON/DAMASCUS. END SUMMARY.

2. IN SEVERAL MEETINGS WITH LAWYER HAZEM K. JAZZAR SINCE RECEIPT OF REF A EMBASSY HAS:

A. OBTAINED FULL NAME AND ADDRESS OF JAZZAR (PARA 1, REF A) HAZEM K. JAZZAR, ATTORNEY AT LAW, 16 FAWZI GAZZI STREET, ABU ROUMANEH STREET, DAMASUCS; TEL -- OFFICE 113100, HOME 332351; NO TELEX.

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B. PRESENTED JAZZAR WITH EMBASSY LETTER APPOINTING HIM TO

REPRESENT EXIM BANK IN SUBJECT CLAIM PER CONDITIONS SET FORTH
REF A. (COPIES EMBASSY LETTER POUCHED NEA/ARN FOR APPROPRIATE
DISTRIBUTION.)

C. OBTAINED TEXT OF PAPER OF ATTORNEY REQUIRED UNDER

SYRIAN LAW SO THAT EXIM BANK CAN PREPARE APPROPRIATE DOCUMENT
LIMITED TO SUBJECT CLAIM AND RETURN IT AIR POUCH TO EMBASSY FOR
RELAY TO JAZZAR (TEXT IN PARA 4 BELOW).

D. PROVIDED JAZZAR WITH MORE LEGIBLE COPIES OF PROMISSORY
NOTES RECEIVED FROM NEA/ARN/M. H. MAUGHAN, TRANS SLIP 12/16/75,
AND WITH CABLED TEXT OF ARAB ORIENT BANK MARCH 23, 1964 LETTER
TO BANK OF AMERICA (PARAS 3 AND 4, REF A).

3. ACTIONS REQUESTED:

A. AIR POUCH TO EMBASSY (REGISTERED ORIGINAL PROMISSORY
NOTES IN POSSESSION OF EXIM BANK AS JAZZAR WILL NEED THEM IN
PRESENTATION TO COURT. NOTARIAL STATEMENT ISSUED BY SARG
EMBASSY IN WASHINGTON SHOULD COVER THESE NOTES.

B. SIMILARLY, SEND DULY SIGNED AND AUTHORIZED POWER OF
ATTORNEY, NOTARIZED AT SARG EMBASSY IN WASHINGTON.

C. EXIM BANK/STATE PROVIDE EMBASSY WITH FUND CITATION
SO THAT PAYMENTS FOR EXIENSES UPON PRESENTATION OF CERTIFIED
RECEIPTS MAY BE ACCOMPLISHED BY EMBASSY. JAZZAR HAS ALREADY
INCURRED TRAVEL EXPENSES GIVEN FACT PRESENTATION TO DESIGNATED
COURT IS IN ALEPPO, AND NOT IN DAMASCUS. MOREOVER, OFFICIAL
REGISTRATION IN COURT REQUIRES ADVANCE PAYMENT OF CA. L.S. 800
(\$219). GIVEN OUR VERY SLOW POUCH TURNAROUND TIME, JAZZAR WOULD
BE OUT OF POCKET ALMOST TWO MONTHS AND WE BELIEVE THIS UNJUST
TO HIM. FUND CITATION SHOULD NOTE LIMIT OF U.S. \$822 AND
EMBASSY WILL FORWARD EMBASSY-CERTIFIED RECEIPTS OF EXPENSES AND
PAYMENTS TO JAZZAR TO WHICHEVER OFFICE AND ADDRESS EXMIM BANK
INDICATES.

D. JAZZAR WILL NEED DOCUMENTARY EVIDENCE OF BANK OF AMERICA
CLAIM PAID BY EXIM BANK MARCH 31, 1966 AND FIRST NATIONAL CITY
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BANK CLAIM PAID BY EXIM BANK FEBRUARY 18, 1967; AIRPOUCH THIS
DOCUMENTATION, ALONG WITH OTHER DOCUMENTS TO EMBASSY, ATTENTION
ECON.

4. TEXT OF POWER OF ATTORNEY FOLLOWS, MIDDLE PORTION OF WHICH
IS ENCLOSED BY EMBASSY NOTATION "(STANDARD LANGUAGE)" IS
LANGUAGE TAKEN FROM PREPRINTED FORM ISSUED BY LAWYERS UNION OF
SYRIAN ARAB REPUBLIC.

QUOTE SYRIAN ARAB REPUBLIC
LAWYERS UNION

(CENTERED AND UNDERLINED) QUOTE SPECIAL DOCUMENT OF APPOINTMENT

QUOTE I, THE UNDERSIGNED, (TYPE IN NAME) ACTING AS (TYPE
IN TITLE) AND AUTHORIZED TO ACT FOR THE EXPORT-IMPORT
BANK, HAVE APPOINTED, BEING FULLY AND LEGALLY COMPETENT TO DO SO,
THE ATTORNEY HAZEM AL-JAZZAR, TO ACT AS ATTORNEY IN THE DISPUTE
AND THE COURT PROCEEDINGS REGARDING THE BANKRUPTCY OF THE COMPANY
GEORGES RIZKALLAH BOUSTANI & FILS, BEFORE THE COURT OF FIRST
INSTANCE IN ALEPPO, AGAINST WHOMEVER MAY BE SHOWN TO BE CON-
NECTED WITH THE DISPUTE WITH THE SAID PERSONS, OR WHOEVER MAY
APPEAR IN OPPOSITION IN IT, (BEGINNING OF STANDARD LANGUAGE)
BEFORE ALL COURTS, OFFICES OF EXECUTION, INVESTIGATIVE
AUTHORITIES, AND PUBLIC NOTARIES; ALSO BEFORE OFFICIAL OFFICES,
ESTABLISHMENTS, AND NATIONAL AND FOREIGN OFFICES IN THE LANDS
OF THE SYRIAN ARAB REPUBLIC AND ABROAD IN ANY MANNER; BEING
APPOINTED TO TAKE THE NECESSARY ARRANGEMENTS AND ACTIONS TO
FILE A LEGAL CASE AND PURSUE, DEFEND AND DECIDE, ASK FOR AN
OATH, ACCEPT AND DECLINE, TO TAKE RESERVE ACTIONS, NOTIFY AND
BE NOTIFIED, PRESENT EVIDENCE, CHARTS AND PETITIONS, PROTEST
AND PRESENT EXCUSES, ASK FOR REPLACEMENT OF JUDGES, SUE AND
ACT AS OPPONENT, CLAIM FORGERY, APPOINT EXPERTS AND CHANGE THEM,
ASK FOR CONFISCATION AND CANCEL IT, DEMAND IMPRISONMENT AND
DECLINE IT, APPOINT ANOTHER PERSON OR MORE PERSONS IN ANY
MATTER MENTIONED HEREIN OR IN PART OF IT, STUDY THE METHODS OF
OPPOSITION TO EXECUTIVE DECISIONS, (END STANDARD LANGUAGE)
APPEAL THE CASE AND OPPOSE THE DECISION BEFORE THE COURT
OF CESSATION; AND MAKE ADVANCE PAYMENTS, DEPOSIT AMOUNTS FOR
LEGAL PROCEEDINGS AND COLLECT SAME. UNQUOTE

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(TYPED NAME AND SIGNATURE, NOTARIZED BY SARG EMBASSY IN
WASHINGTON.
MURPHY

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NNN

Message Attributes

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